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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/726,532	Applicant(s) BOLDER ET AL.	
	Examiner Cheneca P. Smith	Art Unit 2192	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 04 December 2003.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-42 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>12/4/2003</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This action is in response to the application filed on 12/04/2003.
2. Claims 1-42 have been examined.

### ***Claim Rejections - 35 USC § 101***

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 16-29 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claim 16 recites an "analyst human-machine interface" that has been reasonably interpreted as computer program, software, listing per se. Claim 16 fails to recite the "analyst human-machine interface" as stored on an appropriate computer readable medium, which defines structural and functional interrelationships between the software and other components of a computer that permit the software's functionality to be realized - see MPEP 2106.01(I).

Therefore, claim 16 is rejected as non-statutory.

Claims 17-20 mirror the deficiencies of claim 16 are also rejected as non-statutory.

Claim 21 recites a "managed entity configuration human-machine interface" that been reasonably interpreted as computer program, software, listing per se. Claim 21 fails to recite the "managed entity configuration human-machine interface" as stored on an appropriate computer readable medium,

which defines structural and functional interrelationships between the software and other components of a computer that permit the software's functionality to be realized - see MPEP 2106.01(I). Therefore, claim 21 is rejected as non-statutory.

Claims 22-24 mirror the deficiencies of claim 21 are also rejected as non-statutory.

Claim 25 recites a "parameterized command script template", which has been reasonably interpreted as non-functional descriptive material because it is just a compilation of data without a functional interrelationship among the data and the computer processes performed when using the data, which would require an "act" to be realized and/or performed (see MPEP 2106.01(II)). Although the template comprises a "recording medium," which could be paper, claim 25 also fails to recite the "template" as being stored on an appropriate computer readable medium, which would define the structural and functional interrelationships between the software and other components of a computer that permit the software's functionality to be realized - see MPEP 2106.01(I). Therefore, claim 25 is rejected as non-statutory.

Claims 26-29 mirror the deficiencies of claim 21 are also rejected as non-statutory.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1,2,5,6,8,9,11,12,14-19,21-23,25,26,28,30-34,and 36-42 are rejected under 35 U.S.C. 102(b) as being anticipated by Carcerano et al. (US 6,308,205 B1).

As to claim 1, Carcerano teaches a script management system comprising:

a. a script repository retrievably storing a plurality of parameterized command script templates (see FIG.5 and associated text, e.g. col.9 lines 57-61), at least one command specification constituent of a command script template specifies a user parameter identifier (see col.10 lines 49-51), and

b. managed entity configuration management module populating parameterized command script templates in deriving corresponding command scripts (see FIG.5, 109 and associated text, e.g. col.9 lines 47-51).

As to claim 2, Carcerano teaches at least one command constituent of the command script template further specifies a user parameter identifier (see col.10 lines 49-51),

the script management system further comprising a managed entity configuration human-machine interface for (see FIG.5, 109 and associated text):

entering a user parameter value for the user parameter identifier (see FIG.10, S903 and associated text, e.g. col 15 lines 43-45),

saving the user parameter value with a repository (see col.10 lines 54-55),

optionally requesting the user parameter value from repository (see col.10 lines 49-51),

optionally retrieving the user parameter value from the repository (see col.10 lines 49-51),

optionally editing the user parameter value (see col.10 lines 49-51), and  
optionally deleting the user parameter value (see col.10 lines 49-51).

As to claim 5, Carcerano teaches at least one command constituent of the command script template further specifies a network management system parameter identifier, the managed entity configuration management module further comprising means for obtaining a corresponding managed entity parameter value from one of a network management system and an network management system database (see col.2 lines 16-20).

As to claim 6, Carcerano teaches each command script template further comprises an associated script execution dependency specification identifying at least one command script required to be executed in advance thereof, the script management system further comprising: a script sequencer inspecting the script execution dependency specification of at least one command script, the command script being derived from a corresponding command script template, to determine whether an at least one additional command script is required to be executed in advance thereof; the submitted and the additional command scripts representing an apply list of scripts, the script execution dependency specification and the script sequencer enabling the use of specific command script templates in respect of discrete configuration tasks, script execution

dependency specified combinations of which specifying complex communications network managed entity configurations tasks (see col.14 lines 54-58).

As to claim 8, Carcerano teaches the managed communications network entity configuration management module further submitting sequenced command scripts to at least one target managed communications network entity for execution in configuring thereof (see col 3 lines 14-17).

As to claim 9, Carcerano teaches a managed entity configuration human-machine interface including means for: target managed entity selection (see col 15 lines 27-30), command script template selection (see col.15 lines 64-67), and submission of the command script template selection for configuration of the at least one selected target managed entity to the managed communications network entity configuration management module (see col 15 line 67 and col.16 lines 1-3).

As to claim 11, Carcerano teaches an analyst human-machine interface including means for command script template creation (see col.9 lines 47-50), submission of the command script template to the script repository for storage (see col.9 lines 47-50), optional retrieval of the command script template (see col.10 lines 49-51), and optional modification of the command script template (see col.10 lines 49-51).

As to claim 12, Carcerano teaches an analyst human-machine interface further including means for parameterized command script template specification in creating thereof (see col.9 lines 47-50).

As to claim 14, Carcerano teaches analyst human-machine interface including means for: script execution dependency specification (see col.14 lines 54-58).

As to claim 15, Carcerano teaches analyst human-machine interface further including means for command script execution authorization specification in respect of the command script template (see col.14 lines 54-58).

As to claim 16, Carcerano teaches an analyst human-machine interface for communications network managed entity configuration comprising means for: command script template creation (see col.9 lines 47-50), submission of the command script template to the script repository for storage (see col.9 lines 47-50), optional retrieval of the command script template (see col.10 lines 49-51), and optional modification of the command script template (see col.10 lines 49-51).

As to claim 17, Carcerano teaches means for parameterized command script template specification in creating thereof (see col.9 lines 47-50).

As to claim 18, Carcerano teaches means for script execution dependency specification in respect of a command script template (see col.14 lines 54-58).

As to claim 19, Carcerano teaches means for command script execution authorization specification in respect of the command script template (see col.14 lines 54-58).

As to claim 21, Carcerano teaches a managed entity configuration human-machine interface comprising means for: command script template selection from a group of command script templates (see col.15 lines 64-67), and for



submission of the command script template selection for the configuration of at least one target managed entity (see col 15 line 67 and col.16 lines 1-3).

As to claim 22, Carcerano teaches command script template specification is parameterized, at least one command constituent of the command script template specifies a user parameter identifier (see col.10 lines 49-51), the managed entity configuration human-machine interface further comprising means for: entering a user parameter value (see FIG.10,S903 and associated text, e.g. col 15 lines 43-45), submitting the user parameter value for storage in a repository (see col.10 lines 54-55), optionally retrieving the user parameter value from the script repository (see col.10 lines 49-51), optionally editing the user parameter value (see col.10 lines 49-51), and optionally deleting the user parameter value (See col.10 lines 49-51).

As to claim 23, Carcerano teaches means for: target managed entity selection from a group of managed communications network entities (see col.15 lines 27-30).

As to claim 25, Carcerano teaches a recording medium comprising at least one parameterized command script template (see col.7 lines 18-19).

As to claim 26, Carcerano teaches a user parameter set (see col.10 lines 49-51).

As to claim 27, Carcerano teaches the parameterized command script template further comprises an associated version specification, and the user parameter set further comprises an associated version specification (see col.3 lines 29-35). 3<sup>rd</sup> ref

As to claim 28, Carcerano teaches at least one command script template of a plurality of command script templates further comprises a script execution dependency specification specifying another command script derived from one other command script template to be submitted for prior execution (see col.14 lines 54-58).

As to claim 30, Carcerano teaches a method of configuring communications network a managed entity comprising the steps of:

- a. selecting at least one parameterized script template from a plurality of parameterized script templates based on a configuration task to be performed on the managed entity (see col.15 lines 64-67),

- b. populating the parameterized command script template with at least one parameter value to derive a command script in respect of the configuration task (see col.9 lines 47-51) and

- c. submitting the command script to the managed entity for execution (see col.15 line 67 and col.16 lines 1-3).

As to claim 31, Carcerano teaches the step of retrieving the at least one parameter value from a repository (see col.10 lines 49-51).

As to claim 32, Carcerano teaches retrieving the at least one parameter value from the repository the method further comprises a step of retrieving a user parameter set including a plurality of user parameter values for the command script template (see col.10 lines 49-51).

As to claim 33, Carcerano teaches populating the command script template further comprising step of determining that a user parameter value is

not provided in a user parameter set and prompting a user to enter the missing user parameter value to populate the command script template (see col.15 lines 57-63).

As to claim 34, Carcerano teaches a step of storing a versioned user parameter set in a repository (see col.10 lines 54-55).

As to claim 36, Carcerano teaches the step of populating the parameterized command script template with at least one network management system parameter value to derive a command script in respect of the configuration task (see col.9 lines 47-51).

As to claim 37, Carcerano teaches the step of: retrieving a network management system parameter value (see col.10 lines 49-51).

As to claim 38, Carcerano teaches the step of: requesting the network management system parameter value from one of a network management system and a network management system database (see col.2 lines 16-20).

As to claim 39, Carcerano teaches the step of retrieving the at least one selected command script template from a script repository (see col.10 lines 49-51).

As to claim 40, Carcerano teaches selecting more than one command script template, the method further comprises the step of: generating an apply list of command scripts (see col.14 lines 54-58).

As to claim 41, Carcerano teaches a command script template further includes a script execution dependency specification specifying command scripts required to be executed before the corresponding command script, the method

further comprising a step of: ordering the plurality of command script templates in the apply list (see col.14 lines 54-58).

As to claim 42, Carcerano teaches steps of determining that a script execution dependency specification specifies a command script not currently a member of the apply list and retrieving the corresponding command script template from a script repository for inclusion in the apply list (see col.14 lines 54-58).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 3, 4, 29, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carcerano et al (US 6,308,205 B1) in view of Fascenda et al (US 6,560,604 B1).

As to claim 3, Carcerano teaches the limitations of claim 1, but does not specifically teach where a command script template is stored in the script repository along with a command script template version identifier, user parameter values corresponding to command specifications constituent of the command script template are stored in a user parameter set having a user parameter set version identifier; the script management system further comprising a versioning module inspecting the command script template version

identifier and the user parameter set version identifier to ensure correspondence there between. In an analogous art, however, Fascenda is cited to teach where a command script template is stored in the script repository along with a command script template version identifier, user parameter values corresponding to command specifications constituent of the command script template are stored in a user parameter set having a user parameter set version identifier; the script management system further comprising a versioning module inspecting the command script template version identifier and the user parameter set version identifier to ensure correspondence there between (see col.3 lines 29-35). It would have been obvious to one having ordinary skill in the art at the time of the invention to combine the teachings of Carcerano and Fascenda to provided users with an improved method to reconfigure client devices to accommodate new and expanded services in a distributed service environment, as disclosed by Fascenda (see col.2 lines 50-52).

As to claim 4, Fascenda further teaches the managed entity configuration management module further comprising means for requesting additional user parameter values to be entered via the managed entity configuration human-machine interface when discrepancies arise between a command script template version identifier and a user parameter set identifier (see col.17 lines 11-20).

As to claim 29, Fascenda further teaches the at least one parameterized command script template is specified in accordance with one command interface language from: Command Line Interface (CLI), eXtensible Markup Language

(XML), Node Management Terminal Interface (NMTI), and Transaction Language 1 (TL1) (see col.1 lines 9-10).

As to claim 35, Fascenda further teaches each command script template has an associated version specification, and in retrieving the user parameter set the method further comprises steps of comparing the command script template version with the user parameter set version and selectively re-entering a user parameter in the user parameter set if the user parameter has changed (see col17 lines 29-35).

7. Claims 7, 10, 13, 20 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carcerano et al (US 6,308,205 B1) in view of Rajakarunanayake et al (US 6,463,528 B1).

As to claim 7, Carcerano teaches the limitations of claim 6, but does not specifically teach where the script execution dependency specification further comprises a script execution dependency table. In an analogous art, however, Rajakarunanayake is cited to teach where the script execution dependency specification further comprises a script execution dependency table (see FIG.5 and associated text, e.g. col.9 lines 9-12) It would have been obvious to one having ordinary skill in the art at the time of the invention to combine the teachings of Carcerano and Rajakarunanayake to provide a simplified method that would enable users to conveniently configure any customer premise equipment, as disclosed by Rajakarunanayake (see col.2 lines 9-11).

As to claim 10, Rajakarunanayake further teaches where each target managed entity comprises one a router (see col.1 lines 9-10).

As to claim 13, Rajakarunanayake further teaches where the command script template creation means provides command script template specification in accordance with one command interface language from: Command Line Interface (CLI), eXtensible Markup Language (XML), Node Management Terminal Interface (NMTI), and Transaction Language 1 (TL1) (see col.8 lines 45-51).

As to claim 20, Rajakarunanayake further teaches where command script template creation means provides command script template specification in accordance with one command interface language from: Command Line Interface (CLI), eXtensible Markup Language (XML), Node Management Terminal Interface (NMTI), and Transaction Language 1 (TL1) (see col.8 lines 45-51).

As to claim 24, Rajakarunanayake further teaches where each target managed entity comprises a router (see col.1 lines 9-10).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheneca P. Smith whose telephone number is (571) 270-1651. The examiner can normally be reached on Monday-Friday 7:00-4:30 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Dam can be reached on (571) 272-3695. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CS  
1/4/2008



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